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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/556,483	04/21/2000	Kazuaki Iwamura	05595.0012	6376

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/556,483

Applicant(s)

IWAMURA ET AL.

Examiner

Lewis A. Bullock, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/556,483, filed on 04/21/00.

Claim Rejections - 35 USC § 112

2. Claim 8 recites the limitation "said service designating means" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by MANO (US 5,793,366).

As to claim 1, MANO teaches a communication device (computer system) (col. 4, lines 14-19; col. 7, line 63 – col. 8, line 15) comprising: detection means for detecting (determines all devices connected to the serial bus) communication devices (computer /

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compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) capable of communicating with a local communication device (computer system via the serial bus network) (col. 4, lines 35-53; col. 5, lines 7-53); attribute information acquiring means for acquiring the attribute information (image / task capabilities) of the communication devices (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) detected (col. 5, lines 16-25; col. 4, line 54 – col. 5, line 5); selection means for selecting, on the basis of the attribute information (image / task capabilities) acquired by the attribute information acquiring means, one or more communication device (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) useful for the action (task) of the local communication device (host system) from the communication devices detected (via the user using a cursor control device) (col. 5, lines 54-67; col. 6, lines 4-12; col. 4, line 54 – col. 5, line 5); and display means for displaying (via the GUI / device subwindow) a discrimination information (image) for discriminating the communication device (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) selected by the selection means (“The graphical representation of the device to be used to complete the task is displayed in the device subwindow.”) (col. 5, line 58 – col. 6, line 3). It is inherent that the task capabilities of the devices are acquired since they are displayed in the task windows (col. 4, line 66 – col. 5, line 5).

As to claim 2, MANO teaches wherein displaying attribute information that is concerned on services including tasks and information, which can be provided by the communication device (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) detected (col. 4, line 66 – col. 5, line 5). It is inherent that in order to display task of the capabilities of devices the capabilities of the devices have to be retrieved.

As to claim 3, MANO teaches service designating means (choosing a task) for designating one of services (tasks) (via the cursor control device), wherein the selection means selects, on the basis of the attribute information (task capabilities), a communication device (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) capable of providing the service which is designated by the service designating means ("The graphical representation of the device to be used to complete the task is displayed in the device subwindow.") (col. 5, line 56 – col. 6, line 3).

As to claims 6-8, reference is made to a method that corresponds to the device of claims 1-3 and is therefore met by the rejection of claims 1-3 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 5, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over MANO (US 5,793,366) in view of MCNERNEY (US 5,999,208).

As to claim 4, MANO teaches a communication device (computer system) (col. 4, lines 14-19; col. 7, line 63 – col. 8, line 15) comprising: detection means for detecting (determines all devices connected to the serial bus) communication devices (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) capable of communicating with a self communication device (computer system via the serial bus network) (col. 4, lines 35-53; col. 5, lines 7-53); and display means for displaying (via the GUI / device subwindow) a discrimination information (image) for discriminating the communication device (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) detected by the detection means (“The graphical representation of the device to be used to complete the task is displayed in the device subwindow.”) (col. 5, line 58 – col. 6, line 3). However, MANO does not teach an application execution instruction sending means.

MCNERNEY teaches a communication device (conference participant terminal device) comprising: an application execution instruction sending means for sending an instruction information for executing a predetermined application (file / application) to the communication device (other conference participant terminal device) displayed in the display means (col. 6, line 39 – col. 7, line 4). It is obvious based on the

combination of the teachings of MANO with the teachings of MCNERNEY that a service or task of MANO is a data conferencing service and used to execute an application on a remote computer device (Mano, computer 18, fig. 3) (MCNERNEY, col. 5, line 67 – col. 6, line 3). Therefore, it would be obvious to combine the teachings of MANO with the teachings of MCNERNEY in order to provide the user with a visually familiar conference format and conference controls that are intuitive to operate (col. 2, lines 3-21).

As to claim 5, MANO teaches a communication device (computer system) (col. 4, lines 14-19; col. 7, line 63 – col. 8, line 15) comprising: detection means for detecting (determines all devices connected to the serial bus) communication devices (computer / compact disk changer / magnetic disk recorder / stereo amplifier / television / video printer / and digital video cassette recorder) capable of communicating with a self communication device (computer system via the serial bus network) (col. 4, lines 35-53; col. 5, lines 7-53). However, MANO does not teach application execution instruction receiving means.

MCNERNEY teaches a communication device (other conference participant terminal device) comprising: application execution instruction receiving means for executing a predetermined application (file / application) when an instruction information for executing the application is received from a communication device (conference participant terminal application) (col. 6, line 39 – col. 7, line 4). It is obvious based on the combination of the teachings of MANO with the teachings of MCNERNEY that a service or task of MANO is a data conferencing service and used to execute an

application on an identified remote computer device (Mano, computer 18, fig. 3) (MCNERNEY, col. 5, line 67 – col. 6, line 3). It is also obvious based on the combination of the teachings of MANO with the teachings of MCNERNEY that the terminal devices both local and remote of MCNERNEY are similarly constructed as disclosed in MANO to identify devices and their capabilities for communicating with them. Refer to claim 4 for the motivation to combine.

As to claims 9 and 10, reference is made to a method that corresponds to the device of claims 4 and 5 and is therefore met by the rejection of claims 4 and 5 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0286.

Lewis A. Bullock Jr.

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April 28, 2003